

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TIGRAN OHANIAN, ET AL.,	:	
	:	
Plaintiffs,	:	20 Civ. 5162 (LGS)
	:	
-against-	:	<u>ORDER</u>
	:	
APPLE, INC., ET AL.,	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on July 6, 2020, Plaintiffs Tigran Ohanian (“Ohanian”) and Regge Lopez (“Lopez”) filed a Complaint asserting claims against Defendants Apple, Inc. (“Apple”) and T-Mobile USA, Inc. (“T-Mobile”) (Dkt. No. 1);

WHEREAS, on October 23, 2020, Lopez voluntarily dismissed all of his claims against T-Mobile without prejudice (Dkt. No. 44);

WHEREAS, on April 30, 2021, Apple filed a motion to dismiss Lopez’s claims against it (Dkt. No. 68);

WHEREAS, on November 16, 2021, Apple’s motion to dismiss Lopez’s claims against it was granted in part and denied in part. Lopez’s claims against Apple for fraudulent misrepresentation and unjust enrichment were dismissed, and his claims against Apple under the New York General Business Law (“GBL”) were dismissed for transactions that took place outside New York, but his claims under the GBL survived dismissal for transactions that took place in New York (Dkt. No. 107);

WHEREAS, on December 1, 2021, T-Mobile and Apple each filed motions to dismiss Ohanian’s claims against them (Dkt. Nos. 110 and 112);

WHEREAS, on January 14, 2022, Plaintiffs filed a letter motion seeking leave to amend the Complaint in order to amplify Lopez’s remaining claims under the GBL against Apple and

Ohanian's claims against T-Mobile, and notifying the Court that Ohanian intended to voluntarily dismiss his claims against Apple (Dkt. No. 121);

WHEREAS, on January 18, 2022, the Court granted leave to amend the Complaint only to the extent of Lopez conforming his allegations to the Opinion and Order on Apple's motion to dismiss and of Ohanian amending his allegations to address contentions in T-Mobile's then-pending motion to dismiss, and denied the pending motions to dismiss as moot (Dkt. No. 122);

WHEREAS, on January 19, 2022, Ohanian voluntarily dismissed all of his individual claims against Apple without prejudice (Dkt. No. 123);

WHEREAS, on January 19, 2022, Plaintiffs filed an Amended Complaint (Dkt. No. 124);

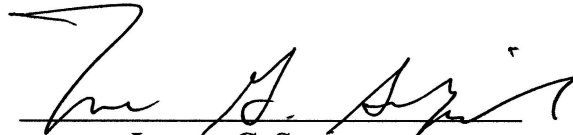
WHEREAS, on January 31, 2022, T-Mobile filed a renewed motion to dismiss Ohanian's claims against it (Dkt. No. 130);

WHEREAS, on March 18, 2022, Ohanian's claims against T-Mobile were dismissed, and Ohanian was given until April 1, 2022, to seek leave to amend the Complaint but did not do so (Dkt. No. 145);

WHEREAS, on April 28, 2022, Lopez and Apple filed a stipulation of voluntary dismissal of his remaining individual claims against Apple with prejudice (Dkt. No. 150). It is hereby

ORDERED that the Clerk of Court is respectfully directed to enter Judgment in favor of Defendants.

Dated: May 2, 2022
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE